IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24556 of 1998

DATED: 13.6.2007

Between:

Buchupalli Vijayabaskar Reddy petitioner

And

The Managing Director,
APSRTC,
Musheerabad, Hyderabad & ors Respondents

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WRIT PETITION NO : 24556 of 1998

ORAL ORDER:

This writ petition is filed questioning the action of the respondents in not appointing the petitioner as cleaner by relaxing the age limit as illegal and arbitrary.

The petitioner claims that he possess the qualification of I.T.I Fitter trade and completed the apprenticeship from M/s. Hyderabad Allwyn Limited and eligible for appointment to the post of cleaner in the respondent corporation. He has attended the interview for the post of cleaner in terms of letter dated 20.11.1989 and 15.10.1991 and alleges that no further communication was sent to him. Thereafter, in June, 1998 the third respondent issued notification inviting applications for the post of Cleaners in Anantapur, Cuddapah and Kurnool regions prescribing that the candidate should be in the age limit of 18 to 30 and should have undergone apprenticeship in APSRTC. The petitioner alleges that he is one of the senior apprentice having secured 71 % of marks in I.T.I and prescribing the upper age limit as 30 years is illegal.

A counter affidavit is filed on behalf of the respondents stating that the petitioner could not be selected in the years 1989 and 1991 as he secured less marks i.e., 45.992 % and 50.92 % whereas the last man selected in O C category secured 48.23 % and 57.80 marks respectively. It is stated that a notification dated 15.6.1998 was issued inviting applications from the APSRTC Trained ITI apprentices to fill the vacancies in Anantapur, Cuddapah and Kurnool regions and the petitioner having undergone apprenticeship in another institution is not

entitled for consideration. It is further stated that he has not submitted any application in pursuance of notification dated 15.6.1998. It is specifically stated that the respondent corporation has issued a circular No. PD-27/97 dated 17.4.1997 and Circular No.6/98 dated 18.8.1998 strictly following the judgment of the Apex Court in U.P. State Road Transport Corporation case[1].

Heard the learned counsel for petitioner and learned Standing Counsel for respondent corporation.

Since the petitioner secured less number of marks than the last candidate selected in the year 1989 and 1991, he was not selected and he cannot have any grievance in that regard. The notification issued on 15.6.1998 is meant for the candidates who have undergone apprenticeship in the APSRTC and admittedly the petitioner has undergone apprenticeship at M/s. Hyderabad Allwyn Limited, as such he cannot claim consideration of his case to the recruitment meant for the candidates who have undergone apprenticeship with APSRTC. Since he is not entitled for consideration, the question of relaxation of age etc does not arise. There are no merits in the writ petition warranting interference of this Court.

Accordingly, the writ petition is dismissed. No costs.

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N.V.RAMANA,J

DATE: 13.6.2007

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[1] AIR 1995 (2) SCC page 2